

VZCZCXRO9361  
OO RUEHTRO  
DE RUEHC #4270/01 1660011  
ZNY CCCCC ZZH  
O 140002Z JUN 08  
FM SECSTATE WASHDC  
TO RUEHTRO/AMEMBASSY TRIPOLI IMMEDIATE 1105  
RUEHJA/AMEMBASSY JAKARTA IMMEDIATE 0236  
RUEHSJ/AMEMBASSY SAN JOSE IMMEDIATE 8876  
RUEHSA/AMEMBASSY PRETORIA IMMEDIATE 9344  
RUEHZP/AMEMBASSY PANAMA IMMEDIATE 2590  
RUEHOU/AMEMBASSY OUAGADOUGOU IMMEDIATE 7324  
INFO UN SECURITY COUNCIL COLLECTIVE IMMEDIATE  
RUEHBW/AMEMBASSY BELGRADE IMMEDIATE 0115  
RUEHPS/AMEMBASSY PRISTINA IMMEDIATE 4248  
RUEHVEN/USMISSION USOSCE IMMEDIATE 1231  
RUCNDT/USMISSION USUN NEW YORK IMMEDIATE 2200  
RUEHNO/USMISSION USNATO IMMEDIATE 5395  
RUEHBS/USEU BRUSSELS IMMEDIATE

C O N F I D E N T I A L SECTION 01 OF 02 STATE 064270

SIPDIS  
TRIPOLI MINIMIZE CONSIDERED

E.O. 12958: DECL: 06/11/2018  
TAGS: [UNSC](#) [PREL](#) [UNMIK](#) [KO](#)  
SUBJECT: KOSOVO -- DEMARCHE IN SUPPORT OF UN  
RECONFIGURATION IN KOSOVO

Classified By: IO PDAS James B. Warlick for reason 1.4(b).

11. (SBU) This is an action request. Posts in Tripoli, Jakarta, Panama, San Jose, Ouagadougou, and Pretoria are requested to deliver the following demarche on Kosovo at the highest appropriate level before Tuesday June 17.

12. (C) The objectives of this demarche are to:

-- Encourage host government to support the plan of UN Secretary General (SYG) Ban Ki-moon to reconfigure the UN presence in Kosovo;

-- Explain why Ban's plan is a reasonable response to the situation created by events surrounding Kosovo's February 17 declaration of independence and is essential to preserving peace and the UN's legacy;

-- Confirm that Ban's reconfiguration plan is fully consistent with UN Security Council (UNSC) resolution 1244 (1999).

13. (C) BACKGROUND (UN RECONFIGURATION): Forty-two countries have now recognized Kosovo's February 17 declaration of independence. Because Kosovo's independence is still controversial, UN SYG Ban Ki-moon and the United Nations Interim Administration Mission in Kosovo (UNMIK) have tried to be "status neutral." Nevertheless, the situation in Kosovo, notably Kosovo's recognition by UN member states and the June 15 entry into force of Kosovo's new constitution, have created a new reality to which the UN believes it will have to adapt. In particular, the UN will no longer be in a position to administer Kosovo as it has done since the adoption of UNSC resolution 1244. In light of these circumstances and acting on his own authority, on June 12 SYG Ban issued a report to the UNSC announcing his intention to "adjust operational aspects" of the international civil presence in Kosovo and cooperate on a transfer of police/justice responsibilities to the European Union (EU). Ban also said he intends intensive consultations with Belgrade on practical matters (e.g., police, customs) to help demonstrate that he made good faith efforts to engage all parties. Russia, backed by China, insists any such reconfiguration of the UN presence cannot occur without UNSC blessing; Serbia has also strenuously objected.

14. (C) BACKGROUND (NEXT STEPS): A UNSC session to discuss

Ban's report will take place on June 20. Facing Russian opposition and threats, Ban needs broad UNSC support for his initiative. Supporting Ban's plan does not imply support for Kosovo's independence -- to the contrary, his reconfiguration of the UN presence is a common-sense measure that recognizes the new reality in Kosovo, protects the UN's legacy there, and is designed to be consistent with resolution 1244. Ideally, a large majority of the UNSC members, both those who have and have not recognized Kosovo's independence, will publicly endorse Ban's plan.

15. (SBU) TALKING POINTS. Posts may draw upon these points, as necessary.

-- The United Nations Interim Administration Mission in Kosovo (UNMIK) performed great work to provide an interim civil administration for Kosovo after the conflict ended in 1999. During subsequent nine years, Kosovo has developed functioning democratic institutions, to which UNMIK has already handed over most governing responsibilities.

-- After UN-led talks on Kosovo's future status, followed by an additional round of negotiations under U.S./EU/Russian auspices, failed to produce an agreement between Belgrade and Pristina, Kosovo declared its independence on February 17. Forty-two countries have already recognized Kosovo's statehood.

STATE 00064270 002 OF 002

-- Because the UNSC includes both members who support and do not support Kosovo's independence, the UN SYG and UNMIK have sought to be impartial in its actions and words. The SYG continues to be guided by UNSC resolution 1244 (1999), which all parties agree remains in force.

-- The Kosovo Assembly has recently approved a new Kosovo constitution that enters into force on June 15, at which point there will be a new reality in Kosovo and it will no longer be feasible for the UN to remain in its current configuration and exercise governing responsibilities.

-- Indefinite UN administration of Kosovo is not possible. As far back as 2005, UN Envoy Kai Eide reported that the UN's leverage in Kosovo was declining and that new international actors, particularly the EU, would need to play a leading international role.

-- On June 12, Ban presented a report to the UNSC that noted the recent events in Kosovo "will continue to have a significant operational impact on the functioning of UNMIK" and that "UNMIK will no longer be able to perform effectively the vast majority of its tasks as an interim administration."

-- In light of these circumstances, Ban said he intends to reconfigure the UN presence in Kosovo and limit its tasks to certain residual functions (e.g., reporting, facilitating uninterrupted travel privileges for Kosovo's citizens).

-- Ban's plan, which he calls "status neutral," will also include intense engagement with all parties (including Belgrade) and cooperation with the EU, which has offered to deploy a rule of law mission under a UN "umbrella."

-- Ban is acting under his own authority as UN SYG and in a manner fully consistent with resolution 1244. His plan is essential to preserving the peace and protecting the UN's legacy in Kosovo.

-- We encourage all UNSC members, whether or not they have recognized Kosovo's independence, to support the SYG's initiative when it is discussed at the upcoming UNSC session on June 20.

-- (If Asked) Given that the Council has been so deeply divided on Kosovo, we do not wish to seek and additional

Council resolution or statement and thus potentially delay the implementaion of the SYG's plan.

¶6. (SBU) For further information, please contact IO/UNP - John Mariz (202-647-0048, [marizjc@state.gov](mailto:marizjc@state.gov)) or EUR/SCE - Joshua Black (202-647-9173, [blackj@state.gov](mailto:blackj@state.gov)).  
RICE